

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26031 of 2018

Arising Out of PS.Case No. -99 Year- 2017 Thana -AGAMKUAN District- PATNA

=====

1. Jai Shankar, Son of Late Ashok Kumar Singh, resident of Mohalla Mahatma Gandhi Nagar, Kaanti Factory Road, Anand Path, Kanti Boys Hostel, P.S. Agam Kuan, Town and District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Maijorwar

For the Opposite Party/s : Mr. Sri Zainul Abedin

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 04-05-2018

Heard both sides.

The petitioner apprehends his arrest in Agamkuan P.S. case No. 99 of 2017 for the offences punishable under Section 419, 420, 467, 468, 471 and 120B of the Indian Penal Code.

Deepak Kumar, the informant, who is younger brother of the petitioner, lodged the case making allegation that petitioner fraudulently mortgaged the joint property and took cash credit loan of Rs. one crore 30 lacs from Punjab National Bank in the name of firm standing in the name of wife of petitioner.

The learned counsel for the petitioner submits that the prior to institution of this case the informant lodged title partition suit no. 79 of 2017. Both the brothers have disputes with regard to partition of the property. The loan was taken on the property for business purpose. The brother-in-law of the informant was also a partner in the firm along with wife of the petitioner. Leaned counsel for the petitioner further submits that from perusal



of Annexure-2, the statements of Banks accounts, it appears that brother-in-law of the informant also received profit amount of the firm and the amount was also transferred to the account of the informant but later on, on account of civil dispute for partition, the informant lodged this case. Petitioner is not a member of the firm. The wife of the petitioner, who is proprietor of the firm, has already been granted anticipatory bail vide order dated 08.11.2017 passed in Cr. Misc. No. 50406 of 2017.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna in connection with Agamkuan P.S. case No. 99 of 2017 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

